

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

#### **Call to Order:**

Chairwoman Arlene Becker, on January 21, 2009 at 3:01 P.M.,  
in Room 152 Capitol.

#### **ROLL CALL**

#### **Members Present:**

Rep. Arlene Becker, Chairwoman (D)  
Rep. Mary Caferro, Vice Chairwoman (D)  
Rep. Pat Ingraham, Vice Chairwoman (R)  
Rep. Bill Beck (R)  
Rep. Julie French (D)  
Rep. Timothy Furey (D)  
Rep. David Howard (R)  
Rep. Dave McAlpin (D)  
Rep. Michael More (R)  
Rep. Pat Noonan (D)  
Rep. Ken Peterson (R)  
Rep. Diane Sands (D)  
Rep. Cary Smith (R)  
Rep. Ron Stoker (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** Rep. Chuck Hunter (D)

**Members Absent:** None

**Staff Present:** Santella Baglivo, Committee Secretary  
Sue O'Connell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 73, 1/15/2009

Executive Action: HB 93, HB 105

**HEARING ON HB 73**

**Opening Statement by Sponsor:**

00:01:56 Rep. Julie French (D), HD 36, opened the hearing on HB 73, Revise medical marijuana laws.

00:02:03 Rep. McAlpin enters.

**Proponents' Testimony:**

00:10:01 Don Judge, Montana Nurses Association

00:15:07 Eric Billings, Self, Patients and Families United

00:18:45 Bob Meharg, Patients, Self

00:21:56 May Simmons, Self

00:24:45 Eric Luther, Self, Patients

00:27:09 Cindy Gaffney, Self

00:27:50 Mitch Ronshaugen, Patient Advocate

00:30:43 Michael VanLeuven, Self

00:33:19 Anthony Swartz, Self

**EXHIBIT (huh14a01)**

00:34:38 Tom Daubert, Patients and Families United for Action

**EXHIBIT (huh14a02)**

00:42:28 Michael Smith, 20 Patients in Bozeman area

**Opponents' Testimony:**

00:45:55 Rep. Don Roberts, HD 56, North Billings

00:47:31 Rep. Dave Howard, HD 60, Ravalli County

00:50:44 Rep. French

00:50:48 Rep. Howard

**EXHIBIT (huh14a03)**

00:51:34 Lewis Smith, Self, County Attorney, Powell County

00:55:15 Chairwoman Becker

00:55:35 Mr. Smith

00:59:37 Bob Leach, Self

01:03:07 Kevin Klostermeier, Department of Justice

01:07:08 Bob Hilliard, State Association Drug Awareness Program

**EXHIBIT (huh14a04)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:08:52 Rep. McAlpin  
01:09:13 Rep. French  
01:10:16 Rep. Ingraham  
01:10:51 Rep. French  
01:11:44 Rep. Ingraham  
01:12:19 Rep. French  
01:12:55 Mr. Judge  
01:13:32 Rep. Ingraham  
01:13:35 Mr. Smith  
01:16:01 Rep. Ingraham  
01:16:07 Mr. Smith  
01:16:30 Roy Kemp, Deputy Director of the Quality Assurance  
Division  
01:17:02 Rep. Ingraham  
01:17:09 Rep. Beck  
01:18:07 Rep. French  
01:18:25 Mr. Kemp  
01:19:43 Rep. Beck  
01:19:54 Mr. Daubert  
01:21:03 Rep. Beck  
01:21:35 Mr. Daubert  
01:22:15 Rep. Caferro  
01:22:45 Mr. Daubert  
01:22:56 Rep. Peterson  
01:23:26 Mr. Judge  
01:23:49 Rep. Peterson  
01:24:19 Mr. Judge  
01:24:31 Rep. Peterson  
01:24:57 Mr. Judge  
01:25:16 Rep. Peterson  
01:25:40 Mr. Judge  
01:26:02 Rep. McAlpin  
01:26:22 Mr. Smith  
01:26:55 Rep. Peterson  
01:27:12 Mr. Smith  
01:28:38 Rep. Peterson  
01:28:48 Mr. Smith

**Closing by Sponsor:**

01:28:59 Rep. French

01:32:25 Chairwoman Becker calls a recess.  
01:43:27 Chairwoman Becker resumes meeting.

**EXECUTIVE ACTION ON HB 93**

01:44:09 **Motion:** Rep. Caferro moved that **HB 93 DO PASS.**

**Discussion:**

01:44:17 Rep. Sands  
01:45:07 Chairwoman Becker  
01:45:14 Rep. Peterson  
01:46:19 Rep. McAlpin  
01:46:32 Rep. Peterson  
01:46:49 Rep. McAlpin  
01:47:00 Rep. More  
01:48:13 Rep. Sands  
01:48:25 Todd Harwell, Emergency Medical Services, Department of  
Public Health  
01:50:20 Rep. Ingraham  
01:51:15 Rep. Sands  
01:51:48 Ms. Sue O'Connell, Legislative Services Staff  
01:53:17 Rep. McAlpin  
  
01:53:38 **Vote:** Motion carried 12-4 by roll call vote with Rep.  
Beck, Rep. More, Rep. Peterson, and Rep. Welborn voting  
no. Reps. French, Hunter and Stoker voted by proxy.  
  
01:55:13 Chairwoman Becker

**EXECUTIVE ACTION ON HB 105**

01:55:25 **Motion:** Rep. Caferro moved that **HB 105 DO PASS.**

**Discussion:**

01:55:35 Chairwoman Becker  
01:55:41 Rep. Welborn  
01:57:13 Rep. McAlpin  
01:57:53 Rep. Peterson  
02:00:16 Chairwoman Becker  
02:00:51 Rep. Peterson

02:00:59 **Motion:** Rep. Sands moved that **HB 105 BE AMENDED.**  
**EXHIBIT** (huh14a05)

**Discussion:**

02:01:59 Rep. McAlpin  
02:02:20 Rep. Sands  
02:02:51 Rep. Smith  
  
02:03:12 **Vote:** Motion carried unanimously by voice vote.  
Reps. French, Hunter and Stoker voted by proxy.

02:03:31 **Motion:** Rep. Caferro moved that **HB 105 DO PASS AS AMENDED.**

**Discussion:**

02:04:06 Rep. McAlpin  
02:04:16 Ms. O'Connell  
02:04:50 Chairwoman Becker  
02:05:23 Rep. Smith  
02:06:11 Rep. Sands  
02:06:31 Chairwoman Becker  
02:06:56 Rep. Beck  
02:08:07 Rep. McAlpin  
02:08:30 Rep. Ingraham  
02:10:29 Rep. Furey  
02:11:33 Rep. Sands

02:13:36 **Vote:** Motion failed 8-8 by roll call vote with Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye. Reps. French, Hunter and Stoker voted by proxy.

**Discussion:**

02:14:53 Rep. Sands  
02:15:17 Rep. Ingraham  
02:15:48 Chairwoman Becker  
02:16:42 Ms. O'Connell  
02:17:07 Rep. Howard  
02:17:17 Ms. O'Connell  
02:17:30 Chairwoman Becker  
02:17:45 Rep. Ingraham

**ADJOURNMENT**

02:17:57 Adjournment: 5:18 P.M.

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SANTELLA BAGLIVO, Secretary

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Additional Documents:

**EXHIBIT ([huh14aad.pdf](#))**